

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 14-322 (1) (SRN/TNL)

Plaintiff,

v.

ORDER

Marvin Spencer,

Defendant.

Thomas M. Hollenhorst, Assistant United States Attorney, United States Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415 (for Plaintiff).

Paul Applebaum, Applebaum Law Firm, First National Bank Building, 332 Minnesota Street, Suite W1610, St. Paul, MN 55101 (for Defendant).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated December 11, 2015 [Docket No. 172], along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Defendant's *pro se* Motion to Permit the Introduction of Rule 406 Habit, Routine, and Practice Evidence at Trial [Doc. No. 139] is **DENIED**;
2. Defendant's *pro se* Motions in Limine and Supplemental Pre-Trial Motions [Doc. Nos. 140, 142) and Motion for Relief and Money for Investigator [Doc. No. 158] are **DENIED**;
3. Defendant's *pro se* Motion to Re-Open the Suppression Hearing [Doc. No. 141] and Defendant's *pro se* Pretrial Motion to Suppress Fruits of Unlawful Arrest and Search and Seizure [Doc. No. 166] are **DENIED**; and

4. Defendant's *pro se* Motion to Dismiss under *Crawford v. Washington* [Doc. No. 148] is
DENIED.

Date: January 8, 2016

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Court Judge